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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,598	01/07/2002	Ryoji Amemiya	450108-03209	2142
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FROMMER LAWRENCE & HIAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151				
EXAMINER LEA EDMONDS, LISA S				
ART UNIT		PAPER NUMBER		
2835				

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/030,598

Applicant(s)

AMEMIYA ET AL.

Examiner

Lisa Lea-Edmonds

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 4-7, 10-13, 16-19 and 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 14 and 15 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1/7/02.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

#### **DETAILED ACTION**

##### ***Election/Restrictions***

1. Applicant's election without traverse of species I (figures 1-31) in the response to the requirement for election of species dated 09/03/03 is acknowledged.
2. Claims 4-7, 10-13, 16-19, and 22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species II - IV figures 32-48, there being no allowable generic or linking claim. Election was made **without** traverse in the requirement for election of species dated 09/03/03. With respect to claims 4-7, 10, 16-19, and 22, the elected figures 1-31 do not show limitations as claimed, such as the antenna member being disposed so as to protrude at least partly from a side surface of one side portion of said display unit, and/or a side surface cover as claimed. Therefore, claims 4-7, 10, 16-19, and 22 are withdrawn from further consideration.

##### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "111" and "11" have both been used to designate protruding portion, and reference characters "61" and "41" have both been used to designate an antenna cover. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. Figures 15-18 and 20-23 should be designated by a legend such as –Prior Art– or –Conventional Art– because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

##### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when

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the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3, 14, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Masaki et al. (6285328). With respect to claims 1-3, 14, and 15, Masaki et al. teaches an information processing apparatus comprising: a display unit (2) having a display panel (4) of which a rear side and/or a circumferential portion is covered with a metallic panel (2a); an antenna member (11) which is disposed in a notch (2C) formed in part of said metallic panel (2a); and a cover (22) of a non-metallic member which is disposed in said notch (2c) so as to cover said antenna member (11), wherein the information processing apparatus comprising a main unit (1), wherein one side portion of said display unit is hinged (3) to one side portion of said main unit (1) so that said display unit (2) is capable of opening and folding from and against said main unit (1); and said antenna member (11) is disposed in said notch (2c) formed in the other side portion of said display unit (2) opposed to said one side portion as claimed (see for example figures 11a-11c and 13a-13c). With respect to the shielding see column 9 lines 4-6.

#### ***Allowable Subject Matter***

6. Claims 8, 9, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: with respect to claims 8, 9, 20, and 21, patentability resides, at least in part, in the antenna member being disposed so that a distance between an end of the antenna member on a side of a power supply port and an end of said notch on the side of said power supply port is shorter than a distance between an end of said antenna member on a side opposite to the power supply port and an end of said notch on the side opposite to said power supply port, in combination with the other limitations of the base claims.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the antenna members of Karidis et al. (5684672), Nam (6031497), Rossi (5644320), West et

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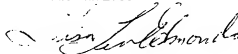
al. (5590346), Batio (5949643), Zibrik et al. (5138328), O'Sullivan (4972457), Wong (6344825), Madsen et al. (6181284) and MIYASAKA, TOSHIKI (JP 2000-174527).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 703-305-0265. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 703-308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1782.

Lisa Lea-Edmonds  
Primary Examiner  
Art Unit 2835

A handwritten signature in black ink, appearing to read "Lisa Lea-Edmonds", is written over the printed name and title.